

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JAMES EDWARD SCHMIDT,

Plaintiff,

Case No. 1:05-cv-789

v.

Hon. Richard Alan Enslen

MARQUETTE COUNTY CIRCUIT COURT,

Defendant.

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**ORDER AND JUDGMENT**  
**APPROVING REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed April 4, 2006, is approved and adopted as the opinion of the court.

**IT IS FURTHER ORDERED** that plaintiff's complaint is **DISMISSED** pursuant to Fed. R. Civ. P. 41(b) and W.D.Mich. L.Civ.R.41 for want of prosecution and failure to comply with the rules and orders of this court.

Dated in Kalamazoo, MI:  
May 1, 2006

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/s/Richard Alan Enslen  
Richard Alan Enslen  
Senior United States District Judge